

97
January 13, 2011**BACKGROUND:**

The Deputy Minister has requested a status update on this matter.

Nationally:

Almost all provinces have enacted legislation that enables them to sue tobacco manufacturers for tobacco related health care costs. BC, Ontario, and New Brunswick have also commenced law suits.

Section 21(1)(a)(i)

The law suits seek damages for the increase in health care costs alleged to have arisen from tobacco companies' tortious marketing conduct.

Alberta:

On October 25, 2010, Minister Redford announced that Alberta would initiate legal action to recover health care costs from the tobacco industry pursuant to the *Crown's Right of Recovery Act*.

In early November, a number of law firms were invited to submit expressions of interest to represent Alberta in the litigation, on a contingency fee basis, fronting all disbursements. One firm and three consortiums submitted written proposals by the November 15 deadline. The three consortiums make presentations to a Review Committee during the last two weeks of November.

The Review Committee's assessment of the three proposals was provided to the Minister of Justice in early December. All three consortiums were considered capable of adequately conducting the litigation, and no one consortium stood out above the others. Each had unique strengths and weaknesses.

Shortly before Christmas, Minister Redford selected the International Tobacco Recovery Lawyers (the Jensen consortium).

Information Non Responsive

- 2 -